



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

MELANIE GARCIA,

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART SUPERCENTER,

Defendants.

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CIVIL ACTION NO. 9:04CV189 (TH)
JURY

**ORDER ACKNOWLEDGING DISMISSAL
BY STIPULATION AND CLOSING CASE**

Before the Court is a *Stipulation of Dismissal With Prejudice Pursuant to Fed. R. Civ. P. 41* [Clerk's Docket No. 23] filed July 19, 2005 by plaintiff Melanie Garcia and the Wal-Mart defendants. Rule 41(a)(1) of the FEDERAL RULES OF CIVIL PROCEDURE provides that "an action may be dismissed by the plaintiff without order of the court . . . by filing a stipulation of dismissal signed by all parties who have appeared in the action."

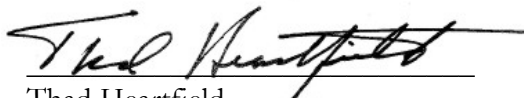
The Court hereby **ACKNOWLEDGES** that plaintiff Melanie Garcia has dismissed her claims against the Wal-Mart defendants with prejudice by stipulation.

IT IS THEREFORE ORDERED that all costs shall be borne by the party incurring same.

IT IS FURTHER ORDERED that the clerk is **DIRECTED** to close this case file.

SO ORDERED.

SIGNED this the 20 day of July, 2005.


Thad Heartfield
United States District Judge